

2 Chapter 13 Trustee
3 3787 University Avenue
Riverside, CA 92501
Tel. (951) 826-8000, Fax (951) 826-8090

4 UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA - RIVERSIDE DIVISION

5 IN RE:

6 WANDA GONZALEZ

7 FILIBERTO MARQUEZ GONZALEZ

8 Debtor(s).

Chapter 13

Case No.: 6:18-bk-15795-RB

MOTION TO DISMISS CASE

DATE: 9/20/2023

TIME: 11:00 am

Courtroom: 303

3420 Twelfth Street
Riverside, CA 92501

11
12 PLEASE TAKE NOTICE that on the date, time and place set forth above, the Chapter 13 Trustee will
move the court for an order dismissing your case for the reasons set forth below.


13 (1) Pursuant to the Order Confirming Plan, debtor is required to submit statements of income annually
14 to the Trustee. See paragraph 3(a) of the Order Confirming Plan; see also Local Bankruptcy Rule 3015
15 -1(o) which provides: "Each year a case is pending after the confirmation of a plan, the debtor must
provide to the Chapter 13 Trustee within 10 days after the return is filed with the appropriate tax
16 agencies a copy of: (1) the debtor's federal and state tax returns; (2) any request for extension of the
deadline for filing a return; and (3) the debtor's forms W-2 and 1099."

17 (2) In addition, debtor pledged all tax refunds into the plan, See paragraph 3(a) of the Order Confirming

18 **TRUSTEE NEEDS 2022 FEDERAL AND STATE TAX REFUNDS**

19
20 WHEREFORE, the Trustee requests that this court dismiss this case pursuant to 11 U.S.C. section 1307(c)
21 (6) in that a material default has occurred with respect to a term of the confirmed plan. Debtor was to execute
the terms set forth above in the time period set forth above; to date, debtor has failed to do so.

22 NOTICE IS HEREBY GIVEN that Local Bankruptcy Rule 9013-1(1)(g) requires that a party in interest
23 who wishes to OPPOSE THIS MOTION **MUST** FILE and SERVE the opposition papers on the Trustee

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25
26 
27 Rod Danielson, Chapter 13 Trustee
28

Rod Danielson
Chapter 13 Trustee
3787 University Avenue
Riverside, CA 92501
Tel. (951) 826-8000, Fax (951) 826-8090

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA - RIVERSIDE DIVISION

IN RE:

WANDA GONZALEZ
FILIBERTO MARQUEZ GONZALEZ

Debtor(s).

Chapter 13

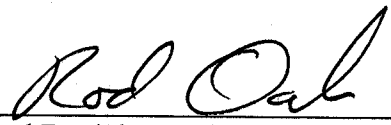
Case No.: 6:18-bk-15795-RB

DECLARATION OF ROD DANIELSON
CHAPTER 13 TRUSTEE

I hereby declare under the penalty of perjury:

1. That I am the Chapter 13 Standing Trustee assigned to administe the above-referenced Chapter 13 case.
2. That I am familiar with the documents in my office file for this case as well as any information contained in my computer's database. I routinely use this iformation in the day-to-day business of the Trustee, I have reviewed this information, and I am well familiar with the documents filed in this case, as well as the history of receipts and disbursements.
3. The petition in this case was filed on July 11, 2018, and the plan was confirmed on September 13, 2018.
4. TRUSTEE NEEDS 2022 FEDERAL AND STATE TAX REFUNDS

I declare under penalty of perjury that the foregoing is true and correct. Dated 8/16/2023 at Riverside, California 92501.


Rod Danielson, Chapter 13 Trustee

In re: **WANDA GONZALEZ** Main Document Page 3 of **Chapter: 13**
FILIBERTO MARQUEZ GONZALEZ

Debtor(s) Case Number: **6:18-bk-15795-RB**

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 3787 University Avenue, Riverside, CA 92501.

The foregoing documents described **MOTION TO DISMISS CASE AND DECLARATION** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner indicated below:

I. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF") - Pursuant to controlling General Orders(s) and Local Bankruptcy Rule(s) ("LBR"), the foregoing document will be served by the court via NEF and hyperlink to the document. On 08/16/2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the email address(es) indicated below:
BEN@HESTONLAW.COM

☐ Service Information continued on attached page

II. SERVED BY U.S. MAIL OR OVERNIGHT MAIL (indicate method for each person or entity served):

On 08/16/2023 I served the following person(s) and/or entity(ies) at the last known address(es) in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States Mail, first class, postage prepaid, and/or with an overnight mail service addressed as follows. *Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours*

WANDA GONZALEZ
 FILIBERTO MARQUEZ GONZALEZ
 10937 BLACKWOOD COURT
 FONTANA, CA 92337

☐ Service Information continued on attached page

III. SERVED BY PERSONAL DELIVERY, FACSIMILE TRANSMISSION OR EMAIL (Indicate method for each person or entity served): Pursuant to F.R.Civ.P.5 and/or controlling LBR, on _____ I served the following person(s) and/or entity(ies) by personal delivery, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. *Listing the judge here constitutes a declaration that personal delivery on the judge will be completed no later than 24 hours after the document is filed.*

☐ Service Information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and c

08/16/2023

Date

Susan Jones

Type Name


 Signature